

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

**SARA LEA BLAYLOCK,**

**Plaintiff,**

**v.**

**CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,**

**Defendant.**

**Case No. 2:12-cv-00072  
Judge Nixon  
Magistrate Judge Bryant**

**ORDER**

Pending before the Court are Plaintiff Sandra Lea Blaylock's Application for Attorney Fees (Doc. 15), filed with an affidavit and Memorandum in Support (Doc. Nos. 15-1; 16), and an Amended Motion for Attorney Fees ("Amended Motion") (Doc. No. 17). The Amended Motion seeks an award of \$2,370.80 in attorney's fees for Ms. Blaylock's counsel under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412 (2012). (*Id.*) The Commissioner has filed a Response stating it does not oppose the Amended Motion. (Doc. No. 18.)

Under the EAJA, a prevailing party in litigation against the United States may seek attorney's fees, so long as the party files for the fees within 30 days of the final judgment. 28 U.S.C. § 2412(d)(1)(A)–(B). In social security cases, a sentence of remand by the court constitutes a victory for the plaintiff, such that he or she may seek attorney's fees under the EAJA. *Shalala v. Schaefer*, 509 U.S. 292, 301 (1993).

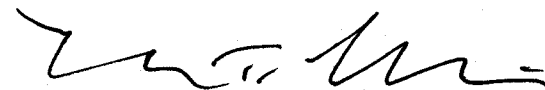
On January 3, 2013, the Court reversed a decision of the Administrative Law Judge denying benefits to Ms. Blaylock and remanded her case to the Commissioner of Social Security for further proceedings. (Doc. No. 13.) Judgment was entered on January 4, 2013. (Doc. No. 14.) Ms. Blaylock filed her initial motion for fees on February 4, 2013 (Doc. No. 15), and the

Amended Motion on February 12, 2013 (Doc. No. 17). In the Amended Motion, Ms. Blaylock's attorney requests \$2,370.80 in fees, based on 15.8 hours of work at a rate of \$150.00 per hour. (*Id.*) The Commissioner does not object to the award and states that the award will be paid to Ms. Blaylock's attorney, subject to any applicable offsets for pre-existing debt Ms. Blaylock owes the Government. (Doc. No. 17 at 1.)

The Court finds that \$2,370.80 is a reasonable award for the work performed. Accordingly, the Amended Motion (Doc. No. 17) is **GRANTED** and the initial motion (Doc. No. 15) is **TERMINATED AS MOOT**.

It is so ORDERED.

Entered this the 15<sup>th</sup> day of February, 2013.



JOHN T. NIXON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT